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10 Attorneys for the Plaintiffs

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 PATRICIA DESANTIS, individually and as  
14 Successor in Interest for RICHARD  
15 DESANTIS, deceased, and as Guardian Ad  
16 Litem for DANI DESANTIS, a minor and  
17 TIMOTHY FARRELL, a minor,

18 Plaintiffs,  
19 v.

20 CITY OF SANTA ROSA, JERRY SOARES,  
21 RICH CELLI, TRAVIS MENKE, PATRICIA  
22 MANN and DOES 1 through 25, inclusive,

23 Defendants.

24 Case No.: C 07 3386 JSW

25 NOTICE OF UNAVAILABILITY

26 **TO: THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

27 NOTICE IS HEREBY GIVEN that on the following dates, John H. Scott and Lizabeth N.  
28 de Vries, attorneys for plaintiffs PATRICIA DESANTIS, DANI DESANTIS, and TIMOTHY  
FARRELL will be out of the office and unavailable for any purpose whatsoever, including but  
not limited to receiving notices of any kind, appearing in court, responding to ex parte  
applications, or attending depositions:

29 **Commencing December 21, 2007 and ending January 2, 2008.**

1 It is requested that all issues arising during our absence be deferred until we return. This  
2 notice is given pursuant to the case of *Tenderloin Housing Clinic v. Sparks* (1992) 8 Cal. App. 4<sup>th</sup>  
3 299, regarding the availability of sanctions for purposefully scheduling a conflicting proceeding  
4 without good cause. Purposeful scheduling of a conflicting proceeding without good cause  
5 during the period of notice is sanctionable conduct pursuant to the *Tenderloin* case.  
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9 DATED: October 31, 2007

10 **SCOTT LAW FIRM**

11 By: 

12 JOHN HOUSTON SCOTT

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